

## **9-07 [Manufactured Housing]**

### **9-07.01 [Introductory Provisions]**

#### **9-07.01-10 [Intent]**

It is the intent of this chapter to encourage the provision of alternative modest income housing in residential areas by permitting the use of manufactured homes as defined herein, in all districts in which similar dwellings constructed on site are permitted subject to the requirements and procedures set forth herein to assure acceptable similarity in exterior appearance between such manufactured homes and dwellings that have been or might be constructed under these and other lawful regulations on adjacent or nearby lots in the same district.

#### **9-07.01-20 [Definitions]**

As used in this chapter the following words and phrases shall mean:

- A. "Anchoring System" means an approved system of straps, cables, turnbuckles, chains, ties or other approved materials used to secure a manufactured home.
- B. "Approved" means acceptable to the appropriate authority having jurisdiction, by reason of investigation, accepted principles or tests by nationally recognized organizations.
- C. "Foundation Siding/Skirting" means a type of wainscoting constructed of fire and weather resistant material, such as aluminum asbestos board, treated pressed wood or other approved materials, enclosing the entire undercarriage of the manufactured home.
- D. "Manufactured Home" means a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code.
- E. "Manufactured Home Subdivision" means a parcel of land platted for subdivision according to all requirements of the comprehensive plan, designed or intended for lots to be conveyed by deed to individual owners for residential occupancy primarily by manufactured homes.
- F. "Manufactured Housing Construction and Safety Standards Code" means the 1974 Housing and Community Development Act (42 U.S.C. 5401 et sequential), as amended (previously known as the Federal Mobile Home Construction and Safety Act), rules and regulations adopted thereunder (including information supplied by the home manufacturer, which has been stamped and approved by a Design Approval Primary Inspection Agency, an agent of the US Department of Housing and Urban Development pursuant to HUD rules) and regulations and interpretations of said code by the Oregon Department of Commerce; all of which became effective for mobile/manufactured home construction on June 15<sup>th</sup>, 1976.
- G. "Manufactured or Mobile Home Community (Park)" means a parcel of land on which two (2) or more manufactured or mobile homes are occupied as residences.
- H. "Mobile Home" means a transportable structure larger than three hundred and twenty (320) square feet designed to be used as a year-round residential dwelling,

and built prior to the enactment of the Federal Mobile Home Construction and Safety Act of 1974, which became effective for all mobile home construction June 15<sup>th</sup>, 1976.

- I. "Occupied Space" means the total area horizontally covered by the structure, excluding accessory structures, such as, but not limited to, garages, patios and porches.
- J. "Permanent Perimeter Enclosure" means a permanent perimeter structural system completely enclosing the space between the floor joists of the home and ground.
- K. "Permanent Foundation" means a structural system approved by the Oregon Department of Commerce for transposing loads from a structure to the earth (Must meet flood plain requirements).
- L. "Support System" means a pad or a combination of footings, piers, caps, plates, and shims, which when properly installed, support the manufactured home.

## **9-07.02 [Regulation of Manufactured Housing]**

### **9-07.02-10 [Applicability]**

- A. **Permitted Placement.** The establishment, location, and use of manufactured homes as permanent residences approved individually by specific materials, or by design, shall be permitted in any zone permitting installation of a dwelling unit, subject to requirements and limitations applying generally to such residential use in the district, and provided such homes shall meet the following requirements and limitations:
  - 1. The dwelling shall meet the appropriate Exterior Appearance Standards, as hereinafter set forth in 9-07.02-20;
  - 2. The dwelling shall be sited in a district where such use is permitted in the Schedule of Uses, as hereinafter set forth in 9-07.02-30;
  - 3. The dwelling shall receive all required permits and conform with the Comprehensive Plan and other regulations of Vernonia.
- B. **Location Out of Parks.** This chapter shall only apply to manufactured homes located outside of manufactured or mobile home communities (parks).
- C. **Non-Conforming Homes-** A manufactured or mobile home placed and maintained on a tract of land and deemed to be a legal non-conforming use prior to the adoption of this chapter shall continue to be a legal non-conforming use. If the non-conforming use is discontinued, the land thereafter must be used in conformity with all provisions of this chapter.
- D. **Replacement of Non-Conforming Homes-** Thereafter, upon application to the building official and subsequent approval thereof, a manufactured or mobile home, deemed a legal non-conforming use, may be replaced by a manufactured home, provided the replacement is of an equal or higher type, as specified in 9-07.02-20, [Exterior Appearance Standards]. Equal or higher type means that a mobile home may be replaced with a manufactured home. A manufactured home may be replaced with another manufactured home.
- E. **Structural Alteration-** Due to its integral design, any structural alteration or modification of a manufactured home after it is placed on the site must be approved by the Building Official of Vernonia.

### **9-07.02-20 [Exterior Appearance Standards]**

- A. **Manufactured Home Classification.** Manufactured homes shall be classified as to acceptable compatibility or similarity in appearance with site-constructed residences, as follows:
  - 1. **A manufactured home:**
    - a. Shall have more than nine hundred and fifty (950) square feet of occupied space in a double-section or larger multi-section unit;
    - b. Shall be placed on an excavated and back-filled foundation which encloses the perimeter so that the manufactured home is not more than twelve (12) inches above grade on the uphill side of the home. Exceptions to this provision may be granted by the

- Planning Commission in those areas where the flood plain requires a greater elevation;
- c. Shall utilize a permanent perimeter enclosure of non-structural concrete, concrete block or masonry wall on all manufactured homes placed on individual residential lots outside a mobile home park or manufactured home subdivision; inside a mobile home park or manufactured home subdivision, shall utilize a perimeter enclosure in accordance with approved Installation Standards, as specified in 9-07.02-40;
  - d. Shall be anchored to the ground, in accordance with Oregon Department of Commerce requirements and to the manufacturer's specifications;
  - e. Shall have wheels, axles and hitch mechanisms removed;
  - f. Shall have utilities connected, in accordance with Oregon Department of Commerce requirements and manufacturer's specifications;
  - g. Shall have exterior siding and roofing which in color, material and appearance is similar to a type customarily used on site-constructed residences;
  - h. Shall have a roof with a pitch of at least three (3) feet in height for each twelve (12) feet in width, (i.e., at least a three (3) to twelve (12) pitch), and eaves with a minimum projection of six (6) inches;
  - i. May have a garage or carport. If so, the exterior materials of the garage or carport shall match the residential home;
  - j. Shall not be sited adjacent to any designated historical structure or designated historical site;
  - k. Shall be subject to the same development standards as other single family residences in that zone; and
  - l. Shall utilize visual relief features when sited with the front entrance facing the side lot line:
    - 1. In any case where the side lot line is adjacent to an existing residence, install a sight-obscuring decorative fence or vegetative planting along the side lot line for a distance which will maintain the privacy of the adjoining developed residential property;
    - 2. Utilize at least two (2) of the following design features along the side of the house facing the street:
      - i. Dormers;
      - ii. Gables;
      - iii. Covered porch or deck;
      - iv. Cupolas;

- v. Pillars or posts;
- vi. Bay or bow windows;
- vii. Eaves (minimum projection of six (6) inches;
- viii. Off-sets on building face or roof for at least sixteen (16) inches.

#### **9-07.02-30 [Schedule of Uses]**

#### **Manufactured or mobile homes are permitted uses as follows:**

- P = Permitted Use  
 C = Conditional Use  
 X = Prohibited Use

<b>City of Vernonia Zoning Districts</b>	<b>Manufactured Home</b>	<b>Mobile Home</b>
<b>Low Density Residential (LDR)</b>	P	X
<b>Residential (R)</b>	P	X
<b>General Residential (GR)</b>	P	X
<b>General Commercial (GC)</b>	C	C
<b>Light Industrial (LI)</b>	C	C
<b>Public Recreation (PR)</b>	X	C

#### **9-07.02-40 [Installation Standards]**

- A.** Permanent Perimeter Enclosure. Those manufactured homes designed in the Zoning Code as requiring a permanent perimeter enclosure must be set onto an excavated area with foundations, footings and crawl space or basement walls constructed in accordance with Oregon Department of Commerce Standards. The space between the floor joists of the home and the excavated underfloor grade shall be completely enclosed with the permanent perimeter enclosure (except for required openings).
- B.** Foundation Siding/Skirting. All manufactured homes without a permanent perimeter enclosure shall have an approved foundation siding/skirting enclosing the entire perimeter of the home. Foundation siding/skirting and back-up framing shall be weather-resistant, non-combustible or self-extinguishing materials, which blend with the exterior siding of the home. Below grade level and for a minimum distance of six (6) inches above finished grade, the materials shall be unaffected by decay or oxidation. The siding shall be installed in accordance with manufacturer's recommendations or approved equal standards. The siding shall be ventilated by openings, which shall be a net area of not less than one and one half (1½) square feet for each twenty-five (25) linear feet of exterior perimeter. The openings shall be covered with corrosion resistant wire mesh not larger than one half (½) inch in any dimension. The underfloor area shall be provided with an eighteen (18) inch by twenty four (24) inch minimum size access crawl hole, which shall not be blocked by pipes, ducts, or other construction interfering with the accessibility of the underfloor space, or other approved access mechanism.

- C. Support System. All HUD-Code manufactured home load-bearing foundations shall be installed in conformance with the Oregon Department of Commerce regulations and with the manufacturer's installation specifications (Must meet flood plain requirements).

### **9-07.03 [Administrative Provisions]**

#### **9-07.03-10 [Permits]**

A. Improvement Location Permit.

1. Requirements- Prior to the location, relocation or establishment of any manufactured home, the home owner or authorized representative shall secure from the Building Official an Improvement Location Permit, which states that the building and its location conform with the Comprehensive Plan. Each application for an Improvement Location Permit shall be accompanied by:
  - a. Those plot plans as required for all dwelling units but which at a minimum, include elevations or photographs of all sides of the home, exterior dimensions, roof materials, foundation siding enclosure construction and materials, exterior finishes and the like
  - b. Health department approval for and sewage disposal or water supply, where applicable;
  - c. PD or subdivision permit approval, where applicable;
  - d. A copy of the approved instructions, which will be used for installation purposes, where applicable;
  - e. Such other information, as may be required by the Building Official for proper enforcement of this chapter;
  - f. The owner of the manufactured home shall be the owner of the lot on which the manufactured home is located; and
  - g. An agreement signed by the home owner or authorized representative pledging compliance with the terms set by the Planning Commission in the Improvement Location Permit.
2. Issuance of Permit. After receipt of the information required for an Improvement Location Permit, the Building Official shall review the standards set in this chapter. If applicant has met all required standards, then within seven (7) working days the Improvement Permit shall be issued by the designated administrator.
3. Additional Action Necessary. If after receipt of the information required for an Improvement Location Permit, the Building Official finds that the applicant has not fully met the standards set in this chapter, and the changes or additional actions needed are deemed by the Building Official to be relatively minor or simple, within seven (7) working days a conditional approval can be issued, with the stated conditions which must be met prior to occupancy spelled out, and the reasons for change clearly stated in writing. If the applicant agrees in writing to the further conditions,

the effect being an amendment to the application to conform to the requirements, approval is given and the applicant proceeds. If the applicant does not agree, the application is denied, with reasons stated in writing.

4. Denial of Permit. If any of the major elements are clearly out of line with the standards, within seven (7) working days issuance of the Improvement Location Permit will be denied, with a written statement specifying the reasons for the denial.
5. Appeals. The applicant may appeal a decision of the Building Official by filing a written request for such an appeal within seven (7) working days of the date of the decision. The appeal shall then be placed on the agenda for the next regularly scheduled meeting of the Council.
6. Permit Fee. The Improvement Location Permit fee shall be five hundred dollars (\$500.00) and is in addition to all other required permits for utilities and sewage disposal systems. (This fee is intended to defray the cost of processing applications and shall not be refunded to the applicant.)

**B. Certificate of Occupancy.**

1. Occupancy Requirement. Prior to the occupancy of any manufactured home, the home owner or authorized representative shall secure from the Building Official a Certificate of Occupancy, stating that the building and its use comply with all provisions of this chapter applicable to the building or the use in the district in which it is to be located.
2. Issuance of Certificate. After submission of an application for a Certificate of Occupancy, the Building Official shall inspect the property and make such referrals to other local officials for technical determinations, as he deems appropriate, for conformance with conditions of the Improvement Locations Permit and the standards set in this chapter. If the applicant has conformed with all of the required conditions and standards, a Certificate of Occupancy shall be issued within seven (7) working days.
3. Temporary Certificate. If after submission of the application for Certificate of Occupancy and the examination by the Building Official, it is found that the applicant has not fully met the required conditions and standards, a temporary Certificate of Occupancy, along with a written statement of necessary modifications, may be issued for a period not to exceed two (2) months, pending completion of the modifications.
4. Denial of Certificate. If any major conditions or standards have not been complied with, the Certificate of Occupancy is denied, with a written statement specifying the reasons for the denial.

**C. Failure to Obtain Required Permits.** Failure to obtain either an Improvement Location Permit or a Certificate of Occupancy shall be violation of this chapter and punishable under the provisions of 9-07.03-20.

**9-07.03-20 [Penalty for Violation]**

- A.**     Failure to Comply. Each day of non-compliance with the provisions of this chapter constitutes a separate and distinct code violation. Judgment of up to five hundred dollars (\$500.00) per day may be entered for a violation.
- B.**     Subject to Removal. A home, sited upon property in violation of this chapter, shall be subject to removal from such property. However, the home owner must be given a reasonable opportunity to bring the property into compliance before action for removal can be taken. If action finally is taken by the appropriate authority to bring compliance, the expenses involved may be made a lien against the property.
- C.**     Removal Method. The Building Official may institute a suit in an appropriate court for injunctive relief to cause such violation to be prevented, abated or removed.